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*Attorney for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

KETTLE RANGE CONSERVATION  
GROUP,

Plaintiff,

v.

U.S. FOREST SERVICE, GLENN  
CASAMASSA, Pacific Northwest  
Regional Forester, U.S. Forest Service,  
RODNEY SMOLDON, Forest  
Supervisor, Colville National Forest,  
TRAVIS FLETCHER, District Ranger,  
Republic Ranger District, U.S. Forest  
Service.

Defendants.

Case No. 2:21-cv-161

**DECLARATION OF TIMOTHY J.  
COLEMAN**

1 I, Timothy J. Coleman, declare and state as follows:

2 1. I am over the age of 18, competent to testify, and have personal  
3 knowledge of the matters stated herein.

4 2. I have lived in Republic, Washington, and worked in Ferry County for  
5 the last 37 years.

6 3. I am the executive director for Kettle Range Conservation Group  
7 (“KRCG”), a rural, grassroots, non-profit environmental charity formed in 1976 in  
8 Republic, Washington, with a membership of about 500 people. KRCG’s mission is  
9 to defend wilderness, protect biodiversity, and restore ecosystems of the upper  
10 Columbia River Basin, including the Sanpoil project area. KRCG’s work includes  
11 oversight of federal management of the Okanogan and Colville National Forests;  
12 promotion of dry and damaged forest restoration; environmental education for  
13 citizens, business, and community groups; preservation of wilderness; and  
14 protection of fish and wildlife.

15 4. KRCG is a founding board member of the Northeast Washington Forest  
16 Coalition (“NEWFC”), a collaborative organization created in 2002 by groups  
17 representing the interests of the timber industry and recreational and conservation  
18 interests. NEWFC works with the Forest Service on projects in the Colville Forest  
19 that promote ecological forest restoration, aquatic restoration, wildland protection,  
20 recreation, and economic stability in the surrounding area. Over the past 20 years,  
21 NEWFC has cooperated with the Forest Service on a number of projects.

22 5. Although KRCG resigned its NEWFC board seat in June 2022, it held  
23 a board seat during the entirety of the commenting, objection, and approval

1 processes for the 2019 Colville Forest Management Plan and the 2020 Sanpoil  
2 Project. Because NEWFC operates by consensus, all board members must approve  
3 any comments and objections submitted to the Forest Service. KRCG participated  
4 actively in all NEWFC comments and objections filed in relationship to the 2019  
5 Forest Plan and the 2020 Sanpoil Project.

6. The Sanpoil Project marked the first time in its 18-year history that  
7 NEWFC had filed an objection to a Forest Service project. This Project thus marked  
8 a significant departure from the collaborative relationship that NEWFC had built  
9 with the Service, which had enabled us to resolve our concerns before the objection  
10 process and avoid litigation.

7. On its own and through its membership in NEWFC, KRCG participated  
12 in the comment and objection phases during the development of the Sanpoil Project  
13 and the 2019 Forest Plan. Acting both as the KRCG executive director and as a board  
14 member of NEWFC, I submitted comments and objections on behalf of myself and  
15 KRCG members and staff.

8. I have worked professionally in Colville National Forest range  
17 management since 1990, including monitoring the conditions in the area and  
18 undertaking habitat remediation projects. This work has included old-growth forest  
19 photo interpretation and mapping for National Audubon, aerial photography, on-the-  
20 ground forest project surveys, and post-harvest forest monitoring. My work is  
21 focused on protecting and restoring healthy ecosystems, and we will not accomplish  
22 this without protecting large, old trees.

9. The Sanpoil Project area is about 30 minutes from my home. I go to

1 this region frequently to ski, hike, hunt, fish, observe wildlife, and search for  
2 mushrooms. I engage in these activities both for physical exercise and to maintain  
3 my mental health by connecting with nature. These activities allow me to experience  
4 the beauty of the wild lands and wildlife that permeates the Kettle River Range. This  
5 area is spectacular in the fall, with fabulous golden foliage and layers of scrub.

6 10. I travel into and throughout the Kettle Range weekly, including in the  
7 Project area. Every year since 1983, I have visited the Project area to work and  
8 recreate every year from May through November, and again every December  
9 through May to ski. I plan to continue these visits in the coming months and years.

10 11. The Sanpoil Project area is very special to me, and I have an intimate  
11 knowledge of its mountains, valleys, and streams. It is a unique place with open,  
12 south facing grass and shrubs with open forest glades and a lot of shale rock, making  
13 it a landscape that is easy to traverse even where there are no trails. Where the  
14 Service has allowed logging in the Forest, it is more difficult to walk because young  
15 trees are often close to each other and with dense branching.

16 12. I have hiked Thirteenmile, Edds, and Snow Peak trails within the  
17 Project area for decades and have led free annual hikes on these trails as part of  
18 KRCG's annual Kettle Rendezvous every summer. Beginning in 2013, KRCG  
19 promoted and helped construct the new Gibraltar Trail, which is now a very popular  
20 trail that is almost entirely within the Sanpoil Project area. I took the photo below in  
21 the fall of 2021, showing the fall colors of Western larch from the Gibraltar Trail.



13. The Pacific Northwest National Scenic Trail traverses a ridgeline with  
14 exceptional views of most of the Sanpoil Project area that are currently wild and  
15 unspoiled. I am concerned that the logging planned through the Sanpoil Project will  
16 ruin the enjoyment of this trail for me and countless others. I took the picture below  
17 from the Pacific Northwest National Scenic Trail in August 2022, looking directly  
18 over the Sanpoil Project area. The photo shows Thirteenmile Mountain (with the  
19 bald tops) on the left side of the picture behind the heavily forested Granite Mountain  
20 in the foreground.



14. I have hunted in the project area since the 1980s for deer and forest  
15. grouse, and fly-fished Ninemile Creek. The best part of these trips were the solitude,  
16. beauty and uniqueness of the area. It is a gem that will be impossible to replace when  
17. it is destroyed.

18. When I recreate in the Sanpoil area, I take delight in seeing, searching  
19. for, and studying many species of fish and wildlife that live in the region, including  
20. wolves, lynx, and other sensitive, threatened, and endangered species that the Project  
21. may displace. I have seen wolf tracks and scat on the Edds Mountain, Snow Peak,  
22. and Kettle Crest Trails within the Sanpoil Project area. I saw one wolf in the Walker  
23. Project area that is north but adjacent to the Sanpoil Project area. I saw a second wolf

1 that was captured by a remote camera in the Sherman Pass Project area that is  
2 adjacent to the Sanpoil Project area. On two occasions I have seen wolverine tracks  
3 on Snow Peak during winter skiing trips and reported them to Washington  
4 Department of Fish and Wildlife and the Forest Service.

5 16. Within the Sanpoil Project area, the Cougar Mountain, Thirteenmile,  
6 and Bald-Snow Inventoried Roadless Areas provide essential migratory pathways  
7 that connect to wildland forests and grasslands in British Columbia. In fact, these  
8 areas have been deemed to be important “habitat concentration areas” for large  
9 carnivores in the Kettle Range.

10 17. The Sanpoil Project area contains a lot of beautiful, old growth forest  
11 of mixed conifer and hardwood species and a large variety of plant communities.  
12 Because of these characteristics, Thirteenmile, Cougar and Bald-Snow Roadless  
13 Areas were initially part of the legislation that became the 1984 Wilderness Act.  
14 Although these areas were dropped from the final House bill and thus did not become  
15 protected wilderness, they remain wild and relatively unspoiled today. I am  
16 concerned that the Sanpoil Project will destroy much of the old-growth forest in the  
17 Sanpoil area, especially now that the 2019 Forest Plan no longer includes a  
18 prohibition on logging trees over 21 inches DBH.

19 18. During a NEWFC field trip in December 2021 to the Sherwood Creek  
20 Experimental Forest east of Chewelah, Washington State University Extension  
21 Forester Sean Alexander informed me that when the Forest Service attempted to  
22  
23

1 apply the forest structure restoration strategy described in Churchill, et al.<sup>1</sup> to test  
2 plots in the Blue Mountains area of Oregon, loggers were unable to apply the science  
3 to restore spatial patterns mimicking the Forest's historic conditions. Simply, loggers  
4 could not duplicate what the scientists wanted them to do. Yet this is the strategy the  
5 Forest Service is attempting to apply in the 2019 Forest Plan and the Sanpoil Project.

6 19. The Sanpoil project has been advertised for bids, meaning that the  
7 damage threatened by the Project is now imminent. *See* Exhibit A (attached). The  
8 contract description in Exhibit B (Sanpoil DxP Stewardship Reoffer) indicates that  
9 logging companies will decide what trees to cut to move the stand structure to a more  
10 historic condition, without direct guidance from the Forest Service. The Forest  
11 Service calls this Designation by Prescription (DxP), which allows logging  
12 companies to decide what to do and how to do it. I have grave concerns with the use  
13 of this procedure to implement the Sanpoil Project and believe that it will  
14 significantly diminish my continued enjoyment of the Sanpoil area, and that of other  
15 KRCG members.

16 20. To state the obvious, logging companies have no expertise or  
17 experience in achieving historic "reference" conditions, making it very unlikely that  
18 the Project will achieve this objective. In fact, there is no way to predict what the  
19

20 \_\_\_\_\_  
21 <sup>1</sup> Derek J. Churchill, et al., HISTORICAL FOREST STRUCTURE, COMPOSITION, AND  
22 SPATIAL PATTERN IN DRY CONIFER FORESTS OF THE WESTERN BLUE MOUNTAINS,  
23 OREGON, Gen. Tech. Rep. PNW-GTR-956 (USFS 2017). Available online at  
<https://www.srs.fs.usda.gov/pubs/55418>.

1      logging companies will decide to do, especially when the Forest Service does not  
2      include specific unit prescriptions as part of the Project, or give the logging  
3      companies strict, bright-line rules to adhere to. As a result, the Forest Service was  
4      not able to do a meaningful evaluation of how the Project will affect wildlife,  
5      recreation, and other important values—and it is equally impossible for the public  
6      to understand the potential effects of the project and offer informed comments  
7      through the National Environmental Policy Act (NEPA) process. I believe this is a  
8      violation of the intent and purpose of NEPA, which directly injures me as a member  
9      of the public who has participated extensively in this process for many years.

10        21. In addition, there is ample evidence from projects the Forest Service  
11      has recently completed, including Sherman Pass and Trout Lake, that this process  
12      will result in a severely degraded forest environment—which will be very different  
13      from and vastly inferior to historic conditions, and which will directly harm wildlife  
14      habitat and scenic and recreational values. As a result of the application of this  
15      process to Sanpoil, there will be a lot fewer large trees, a lot less diversity of plant  
16      and animal life, and the beauty of the area will be destroyed for all the people, like  
17      me, who recreate in this region.

18        22. I took the photograph at the end of the next paragraph in July 2021. It  
19      is of a 40-acre clearcut at the head of Graves Mountain Road, which shows the  
20      results of using a similar process in the Sherman Pass Project.

21        23. Project objectives for Sherman Pass as described in the Decision Notice  
22      and FONSI were to “[thin]...small to intermediate trees.” AR 03753. Similarly, the  
23      Sherman Pass environmental assessment stated that the “proposed mechanical

1 vegetation treatments provide for fuels reduction through harvest of trees that are 4"  
2 to 21" diameter with additional treatment of the remaining slash and understory,"  
3 and "[i]n stands with moderate-to-high levels of insect and disease activity, small  
4 group openings...could result in openings up to 5 acres in size." AR 03536. Thus,  
5 the Sherman Pass Project area was supposed to be subject to be "small and  
6 intermediate" tree cutting and no "openings up to 5 acres in size." What the logging  
7 companies actually did, however, was a clearcut.



24. The photo above is in stark contrast to moist mixed-conifer forest stands  
and natural clumping of large trees on dry south-facing slopes that used to occur in  
this area of the Sherman Pass Project, and which occurs in the Sanpoil area now—  
as depicted in the following photo that I took earlier this year of the Quartz Mountain

1 area of the Sanpoil Project area. I fear that what happened in Sherman Pass will  
2 happen in Sanpoil, and this concern was accentuated by the Service's refusal to  
3 provide me and other NEWFC members with specifics about the Project plans.



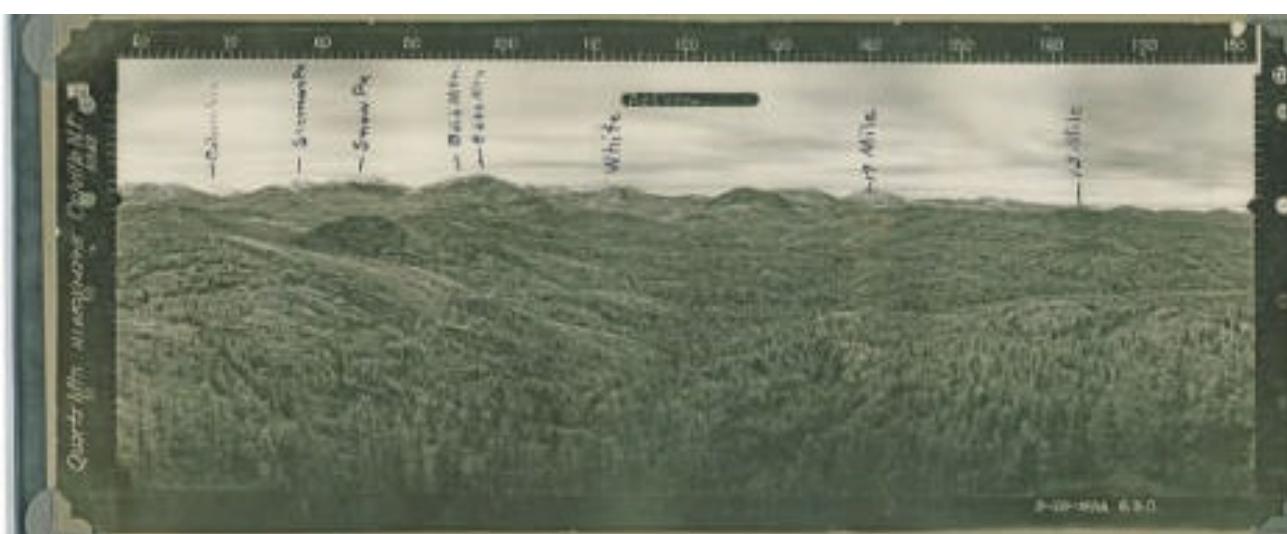
17 25. Trout Lake suffered a similar fate as Sherman Pass. The Trout Lake CE  
18 Decision Memo states Project Objectives as follows: "The treatments authorized by  
19 this decision are designed to improve forest health and resiliency to insect and  
20 disease infestations by reducing stocking (tree density) and shifting tree species  
21 composition to more suitable conditions (within the "historic range of variability.")  
22 The Healthy Forest Restoration Act is cited in the Decision Memo as follows:  
23 "Consistent with HFRA, the proposed action focuses on the retention of large trees,

1 thinning of small-diameter trees, creation of strategic fuel breaks, and the use of  
2 prescribed fire.” AR 05777. And the memo also claims that: “This decision will  
3 [i]mprove forest health resiliency to insect and disease infestations by reducing  
4 stocking (tree density) and shifting tree species composition to more suitable  
5 conditions (within the “historic range of variability.”) AR 05779. Yet the result of  
6 this project was similar to what I observed in Sherman Pass: 1,148 acres in the Trout  
7 Lake Project Area were clearcut. I took the photos below on May 20, 2021, showing  
8 a 60-acre clearcut in the Trout Lake Project area (left) and a Ponderosa pine  
9 “restoration” unit in the Trout Lake Project area (right). The stumps in the photo on  
10 the right are all stumps from Ponderosa pine greater than 20 inches DBH. The  
11 clearcut removed Douglas fir and Western red cedar in addition to Ponderosa pine.



20 26. I have examined historic photos of the Sanpoil watershed from 1934  
21 that are readily available on the Washington Rural Heritage website, and I have  
22 included two below. The top photo was taken from the Thirteenmile Mountain fire  
23 lookout, and is available at <https://www.washingtonruralheritage.org/>

[digital/collection/r6cnf/id/168/rec/129](https://www.washingtonruralheritage.org/digital/collection/r6cnf/id/168/rec/129). It is of the west, north, and northeast of Thirteenmile Mountain located at the southern Sanpoil Project area boundary—so, everything that is clearly visible in this photo is in the Sanpoil Project area. The bottom photo, available at <https://www.washingtonruralheritage.org/digital/collection/r6cnf/id/137/rec/2>, was taken from the Quartz Mountain Lookout, which is on the northwest corner of the Sanpoil Project area, looking east up the Ninemile Creek drainage. It clearly shows a fully stocked forest of large trees.



1       27. Allowing logging companies to cut trees in this area as they see fit will  
2 clearly not result in anything that looks like the “historic” forest condition that the  
3 2019 Plan indicates it wants to achieve, and will destroy much of the scenic beauty  
4 and wildlife habitat that I enjoy in this region.

5       28. I have been distressed by the Service’s failure to provide me and other  
6 member of the public with the information necessary to understand what it plans to  
7 do with the Sanpoil Project. I took the picture below on August 5, 2022 along the  
8 Edds Mountain Trail about a half mile from the trailhead. This picture of Sanpoil  
9 “Unit 506” is an example of the lack of information provided to the public in Sanpoil  
10 NEPA documents and the current contract offering, because “Unit 506” is not listed  
11 on the maps in the Sanpoil Environmental Assessment or in the Sanpoil contract  
12 offering. The coarse map provided in the Environmental Assessment does not even  
13 show Road 300 that leads to the Edds Mountain Trail, even though there are  
14 numerous, blue-painted unit markers indicating project boundaries up to this road  
15 and the trail. It is obvious from the lack of weathering that the Unit 506 boundary  
16 markers were placed this past summer rather than during the wet spring.



29. I have reviewed the maps of the Sanpoil Project that the Forest Service provided to the public, and I believe that they are virtually useless. The coarse scale “Silvicultural Treatments” map (AR 05611.27) and the specialist reports do not provide sufficient detail such that the public can identify on the ground unit locations. The geography of the Sanpoil Project area is complex, convoluted, rugged, and lacking specific detail except for easily identifiable features such as mountain tops, streams, and numbered Forest Service roads. As such, it is impossible to identify the boundaries of logging treatment units if these features are not included in the maps.

30. In the survey that I did of the Project area this past summer, more than

1 a year after the Sanpoil ROD was signed, there is still very little indication of where  
2 logging units are located. Except for occasional splashes of blue paint or ribbons on  
3 trees, there was no indication at all that a timber sale was being prepared for the  
4 project area. The one exception is “Unit 506” noted above.

5 31. Treatment unit details are not what I nor the rest of the public are  
6 accustomed to getting from the Forest Service for a timber sale. In the past, in  
7 addition to specific treatment details, it was customary to receive a detailed project  
8 area unit map with clearly identifiable location details coupled with unit boundary  
9 markers in the field. For example, NEWFC and I participated in the collaborative  
10 development of the Walker Project that shares a southern boundary with the Sanpoil  
11 Project. Appendix A for the Walker Project correlated unit by unit the number, size,  
12 prescriptions, harvest methods, and fuel treatment for each unit together with notes  
13 regarding unique elements of each unit. AR02040-02047. In contrast, the Forest  
14 Service has refused to provide such detailed information regarding the Sanpoil  
15 Project. The coarse scale unit boundaries in the Sanpoil EA don’t even align with  
16 the unit boundaries in the current Sanpoil contract offering. Unit numbering is  
17 inconsistent as well. Attached as Exhibit C is a map that I developed comparing parts  
18 of the map in the contract offering (Exhibit E) with the coarse scale unit boundaries  
19 in the Sanpoil EA (AR 06024)

20 32. Attached as Exhibit D is the only additional map provided by Colville  
21 National Forest staff in response to NWFC’s request for detailed project  
22 prescriptions. AR 06139. It was provided by Eric Pfeiffer in May 2020. None of the  
23 units shown on the map were marked in the field.

1  
2 I declare under penalty of perjury under the laws of the State of Washington  
3 that the foregoing is true and correct to the best of my knowledge.  
4

5 DATED this 11th day of October 2022 in Republic, Washington.  
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8  
9 Timothy J. Coleman  
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